

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:14-CV-864-D

JOHN LASCHKEWITSCH,

Plaintiff,

v.

TRANSAMERICA LIFE INSURANCE
COMPANY,

Defendant.

ORDER

The court has reviewed defendant Transamerica Life Insurance Company's motion to dismiss the complaint or, in the alternative, for a stay pending arbitration [D.E. 26], the response [D.E. 31], and the reply [D.E. 32]. The court is very familiar with the parties and the claims. See Laschkewitsch v. Transamerica Life Ins. Co., 5:14-CV-632-D, 2015 U.S. Dist. LEXIS 6726 (E.D.N.C. Jan. 20, 2015) (unpublished); see also ReliaStar Life Ins. Co. v. Laschkewitsch, No. 14-2020, 2015 WL 1060258 (4th Cir. Mar. 11, 2015) (per curiam) (unpublished); Laschkewitsch v. Lincoln Life & Annuity Distribs., Inc., No. 5:13-CV-315-BO, 2014 WL 4636965 (E.D.N.C. Sept. 16, 2014), appeal filed, No. 15-1178 (4th Cir. Feb. 20, 2015).

The court has subject-matter jurisdiction based on diversity jurisdiction and DENIES plaintiff's motion to remand [D.E. 17]. The court agrees with defendant's arguments, GRANTS defendant's motion to dismiss for failure to state a claim, and DISMISSES WITH PREJUDICE plaintiff's amended complaint [D.E. 21]. The court also DENIES plaintiff's discovery motion [D.E. 19] as moot.

SO ORDERED. This 20 day of March 2015.


JAMES C. DEVER III
Chief United States District Judge